

DAVID MARKWOOD)
)
v.) NO. 2:03-CV-323
)
DARRELL GREEN, SR., *ET AL.*)

This civil rights suit filed pursuant to 28 *U.S.C.* § 1983 is before the Court to consider a Report and Recommendation of the United States Magistrate Judge. The plaintiff has filed no objection to this report.

The Sixth Circuit has recognized a general rule disfavoring a district court's exercise of pendent jurisdiction when federal issues are dismissed before trial. *Gaff v. FDIC*, 814 F.2d 311, 319 (6th Cir.1987). The Court finds that there is no reason presented in this case to warrant a departure from that general rule,

and that based upon "judicial economy, convenience, fairness, and comity," that this Court should not exercise pendent jurisdiction of these claims.

Carnegie-Mellon Univ. v. Cohill, 484 U.S. 343, 350 (1988). Accordingly, the Court declines to exercise pendent jurisdiction of the plaintiff's state law claims, and it is hereby **ORDERED** that these state law claims are **DISMISSED WITHOUT PREJUDICE**.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE